

التَّبَيَّانُ الصَّرِيحُ

at-Tibyān aṣ-Ṣarīḥ

The Clear Exposition

**Abū Bakr al-Balqānī
Jumādā ath-Thānī 1446**

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All praise is due to Allāh, Lord of the worlds, and may peace and blessings be upon our Prophet Muḥammad, his family, and his companions.

Know, may Allāh have mercy upon you, that discussions regarding Takfīr have become widespread among the people while the knowledge has become rare, leaving the servants to disagree with each other and spreading confusion among the ignorant. The Prophet, ṣallā-llāhu ‘alayhi wa sallam, said:

إِنَّ الدِّينَ يُسْرٌ، وَلَنْ يُشَادَّ الدِّينَ أَحَدٌ إِلَّا غَلَبَهُ

“Indeed, this religion is easy, and no one makes it difficult except that it overwhelms him.”¹

This Risālah therefore aims to clarify the understanding upheld by the righteous scholars from the time of the noble Ṣaḥābah until today. It presents the path of the leaders of knowledge, the people of narration, and the adherents of the Sunnah who have preserved and followed it throughout the generations.

وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا

“And hold firmly to the rope of Allāh all together.”²

**Your Brother,
Abū Bakr al-Balqānī
Jumādā ath-Thānī 1446**

¹ Ṣaḥīḥ al-Bukhārī No. 39

² Sūrah Āl ‘Imrān: 103

Contents

The Definition and Foundations.....	4
Two Types of Takfīr.....	6
The Obligation of Takfīr	7
The Three Categories.....	10
Uṣūl ad-Dīn.....	11
Masā'il adh-Dhāhirah.....	17
Masā'il al-Khafiyyah.....	23
Takfīr al-‘Ādhir.....	28
The Ruling on Blind Followers.....	33
Foundation of the People.....	36
Repentance From Public Disbelief.....	39
Judgement With Hellfire	41
The Wrong Application.....	43

The Definition and Foundations

Know, may Allāh have mercy upon you, that Takfīr describes the declaration of Kufr upon a person who is ascribed to have nullified his Īmān³.

This nullification occurs when an individual commits a statement, action, or holds a belief that is proven to be disbelief through the Qur’ān and the authentic Sunnah.

Imām ash-Shāfi‘ī, may Allāh be pleased with him, said:

وَكَانَ الإِجْمَاعُ مِنَ الصَّحَابَةِ وَالتَّابِعِينَ مَنْ بَعْدَهُمْ مِمَّنْ أَدْرَكْنَاهُمْ أَنَّ الْإِيمَانَ قَوْلٌ وَعَمَلٌ وَنِيَّةٌ، لَا يُجْزَى وَاحِدٌ مِنَ الثَّلَاثَةِ بِالْآخَرِ

“And there was consensus among the Companions, the Tābi‘īn, and those after them whom we met, that Īmān consists of speech, action, and belief, and none of the three is sufficient without the others.”⁴

So whoever disbelieves through either one of them, has nullified his Īmān completely and is declared a disbeliever.

Takfīr is a legal ruling, determined by the principles of the Sharī‘ah. It is not allowed to label someone as a disbeliever unless Allāh or His Messenger, ṣallā-llāhu ‘alayhi wa sallam, have explicitly done so. Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, said:

إِذَا الْإِيمَانُ وَالْكَفَرُ، مِنَ الْأَحْكَامِ الَّتِي تُثَبَّتُ بِالرِّسَالَةِ، وَبِالْأَدِلَّةِ الشَّرْعِيَّةِ يُمَيِّزُ بَيْنَ الْمُؤْمِنِ وَالْكَافِرِ لَا بِمُجَرَّدِ الْأَدِلَّةِ الْعَقْلِيَّةِ.

³ Faith

⁴ Sharḥ Uṣūl I’tiqād Ahl as-Sunnah wa al-Jamā‘ah No. 1593

“Īmān and Kufr are rulings established by the message, and through Sharī‘ah evidences one distinguishes between a believer and a disbeliever, not merely through rational proofs.”⁵

Imām Ibn al-Qayyim, may Allāh have mercy upon him, also said:

الْكُفْرُ حَقُّ اللَّهِ ثُمَّ رَسُولِهِ بِالنَّصِّ يُثَبِّتُ لَا يَقُولُ فُلَانٍ.

“Declaring what is disbelief is the right of Allāh, then His Messenger, established by textual evidence, not by the words of any individual.”⁶

Therefore, it is a matter of utmost importance to approach Takfir with caution, adhering strictly to the guidelines set by Allāh and His Messenger, as well as the principles derived from the Sharī‘ah upon which the people of knowledge agreed upon.

It is impermissible for one to speak about this issue ignorantly as Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, said:

وَمَنْ تَكَلَّمَ فِي الدِّينِ بِلَا عِلْمٍ كَانَ كَاذِبًا وَإِنْ كَانَ لَا يَتَعَمَّدُ الْكَذِبَ

“Whoever speaks about the religion without knowledge is a liar, even if he had not intended to lie.”⁷

⁵ Majmū‘ al-Fatāwā 3/328

⁶ an-Nūniyyah 1/277

⁷ Majmū‘ al-Fatāwā 10/449

Two Types of Takfīr

Know, may Allāh have mercy upon you, that the scholars have mentioned the importance of differentiating between two types of Takfīr:

1) Takfīr al-Muṭlaq⁸

This refers to the general ruling of disbelief applied to people who commit Kufr. It is not tied to any specific individual but is rather declared generally without regarding possible preventatives. An action may be described as Kufr based on textual evidence, but this does not always necessitate declaring the doer a disbeliever.

2) Takfīr al-Mu‘ayyan⁹

This refers to declaring a specific individual a disbeliever based on their deeds while being aware of their reality and the reality of what they committed. It is the application of the general ruling of Kufr to a particular person.

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, highlighted the importance of this distinction when he said regarding Takfīr:

يَجِبُ التَّفْرِيقُ بَيْنَ الْإِطْلَاقِ وَالتَّعْيِينِ.

“It is necessary to distinguish between generalization and specification.”¹⁰

⁸ General Takfīr

⁹ Individual Takfīr

¹⁰ Majmū‘ al-Fatāwā 3/230

The Obligation Of Takfir

Know, may Allāh have mercy upon you, that Takfir upon the disbelievers is an individual obligation for every sane Muslim, whether he is a scholar or a layman.

The Prophet, ṣallā-llāhu ‘alayhi wa sallam, said:

مَنْ قَالَ لَا إِلَهَ إِلَّا اللَّهُ وَكَفَرَ بِمَا يُعْبَدُ مِنْ دُونِ اللَّهِ حَرَّمَ اللَّهُ مَالَهُ وَدَمَهُ وَحِسَابُهُ عَلَى اللَّهِ

“Whoever says lā ilāha illā Allāh and rejects what is worshipped besides Allāh, his wealth and blood have become unviolable, and his reckoning is with Allāh.”¹¹

Imām ‘Abd ar-Raḥmān ibn Ḥasan, may Allāh have mercy upon him, said regarding the Ḥadīth:

وَوَسَّمَ تَعَالَى أَهْلَ الشِّرْكِ بِالْكَفْرِ فِي مَا لَا يُحْصَى مِنَ الْآيَاتِ، فَلَا بُدَّ مِنْ تَكْفِيرِهِمْ أَيْضًا، وَهَذَا هُوَ مُقْتَضَى لَا إِلَهَ إِلَّا اللَّهُ، كَلِمَةِ الْإِخْلَاصِ، فَلَا يَتِمُّ مَعْنَاهَا إِلَّا بِتَكْفِيرِ مَنْ جَعَلَ اللَّهَ شَرِيكًا فِي عِبَادَتِهِ، كَمَا فِي الْحَدِيثِ الصَّحِيحِ.

“Allāh has labeled the people of Shirk as disbelievers in countless Āyāt, so it is necessary to also declare them disbelievers. This is the requirement of ‘Lā ilāha illā Allāh’, the statement of sincerity, for its meaning cannot be fulfilled except by Takfir upon those who associate partners with Allāh in worship, as mentioned in the authentic Ḥadīth.”¹²

The word “Whoever”¹³ which was used by the Prophet, ṣallā-llāhu ‘alayhi wa sallam, shows that it is a condition for the generality of people as Ibn Qudāmah al-Maqdisī

¹¹ Ṣaḥīḥ Muslim No. 23

¹² Sharḥ Aṣl Dīn al-Islām wa Qā‘idatuhu 1/8

¹³ “مَنْ”

mentioned in Rawḍat an-Nādhir¹⁴. So Takfīr upon disbelievers is an obligation towards every Muslim and not only towards the scholars. Allāh ta‘ālā also said:

قُلْ يَا أَيُّهَا الْكَافِرُونَ لَا أَعْبُدُ مَا تَعْبُدُونَ وَلَا أَنْتُمْ عَابِدُونَ مَا أَعْبُدُ وَلَا أَنَا عَابِدٌ مَّا
عَبَدْتُمْ وَلَا أَنْتُمْ عَابِدُونَ مَا أَعْبُدُ لَكُمْ دِينُكُمْ وَلِيَ دِينِ

“Say: O disbelievers! I do not worship what you worship, nor are you worshippers of what I worship. Nor will I be a worshipper of what you worship, nor will you be worshippers of what I worship. For you is your religion, and for me is my religion.”¹⁵

Thereby, he commanded the believers to make Takfīr upon the disbelievers. Imām Ḥamad ibn ‘Atīq, may Allāh have mercy upon him, said regarding this Āyah:

الْمُرَادُ التَّصْرِيحُ لَهُمْ بِأَنَّهُمْ عَلَى الْكُفْرِ، وَإِنَّهُ بَرِيءٌ مِنْهُمْ وَمِنْ دِينِهِمْ، فَعَلَى مَنْ
كَانَ مُتَّبِعًا لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ يَقُولَ ذَلِكَ، وَلَا يَكُونُ مُظْهِرًا لِدِينِهِ إِلَّا
بِذَلِكَ.

“The intent is to explicitly declare to them that they are upon disbelief and that he is free from them and their religion. Thus, whoever follows the Prophet, ṣallā-llāhu ‘alayhi wa sallam, must say this, for one cannot openly manifest their religion except by doing so.”¹⁶

The scholars unanimously agreed that Takfīr must be declared by scholars and laymen altogether as one cannot be considered a Muslim without it. Imām ‘Abdullāh Abā Buṭayn, may Allāh have mercy upon him, further explains:

¹⁴ Rawḍat an-Nādhir 1/264

¹⁵ Sūrat al-Kāfirūn: 1-6

¹⁶ Sabīl an-Najāṭ 1/69

وَقَوْلُكَ: حَتَّى تَقُومَ عَلَيْهِ الْحُجَّةُ الْإِسْلَامِيَّةُ، مِنْ إِمَامٍ أَوْ نَائِبِهِ، مَعْنَاهُ: أَنَّ الْحُجَّةَ الْإِسْلَامِيَّةَ لَا تُقْبَلُ إِلَّا مِنْ إِمَامٍ أَوْ نَائِبِهِ، وَهَذَا خَطَأٌ فَاحِشٌ، لَمْ يَقُلْهُ أَحَدٌ مِنَ الْعُلَمَاءِ، بَلِ الْوَاجِبُ عَلَى كُلِّ أَحَدٍ قَبُولُ الْحَقِّ مِمَّنْ قَالَهُ كَائِنًا مَنْ كَانَ.

“And your statement that one must not make Takfīr until an Imām or his deputy has proven and explained it to him means: ‘The Ḥujjah can only be established by an Imām or his deputy’, and this is a heinous mistake and none of the scholars has ever said such a thing. Rather, everyone must accept the truth from whoever says it, whoever they are.”¹⁷

The Shaykh, may Allāh have mercy upon him, mentioned that the Ḥujjah can be established from everyone, therefore rejecting those who claim that Takfīr can only be declared by the scholars. Imām ‘Abd ar-Raḥmān ibn Ḥasan, may Allāh have mercy upon him, also said:

مَنْ لَمْ يُكْفِّرْ مَنْ كَفَرَ الْقُرْآنَ فَقَدْ خَالَفَ مَا جَاءَتْ بِهِ الرُّسُلُ مِنَ التَّوْحِيدِ، وَمَا يُوجِبُهُ.

“Whoever does not make Takfīr upon the one who disbelieves in the Qur’ān has opposed what the Messengers brought regarding Tawḥīd and what it necessitates.”¹⁸

The people of knowledge, may Allāh have mercy upon them, have clarified numerous times that Takfīr has to be declared by every Muslim according to their knowledge and it is impermissible to withhold it.

¹⁷ ad-Durar as-Saniyyah 10/394-395

¹⁸ ad-Durar as-Saniyyah 2/207

The Three Categories

Know, may Allāh have mercy upon you, that all issues of this religion can be classified into one of three categories:

1) Uṣūl ad-Dīn

These are the foundations of the religion which have to be known by necessity like the foundation of Tawḥīd or the essential knowledge regarding our Prophet Muḥammad, ṣallā-llāhu ‘alayhi wa sallam.

2) Masā’il adh-Dhāhirah

These are the apparent and clear matters of the religion upon which there is no confusion. Such knowledge is either widespread and commonly understood within society or is explicitly clarified in the Qur’ān and the Sunnah with no room for doubt.

3) Masā’il al-Khafiyyah

These are the hidden issues of the religion which are not apparent to the people, either because of the prevalence of ignorance and misinterpretations among them or because the knowledge regarding them is primarily accessible to students of knowledge.

While the scholars differed on the amount of categories and the specific terms, their belief regarding these is agreed upon. So be aware of these categories and memorize them, for verily they serve as a guiding light for those who seek to understand.

Uṣūl ad-Dīn

These are the core beliefs which are conditional for one to be a Muslim. This refers to the foundation of Tawḥīd and other necessary beliefs like the knowledge about the Prophet, ṣallā-llāhu ‘alayhi wa sallam.

When the Messenger of Allāh, ṣallā-llāhu ‘alayhi wa sallam, commanded Mu‘ādh to call the disbelieving people of Yemen to Islām, he said:

ادْعُهُمْ إِلَى شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنِّي رَسُولُ اللَّهِ

“Call them to bear witness that there is no god but Allāh and that I am the Messenger of Allāh.”¹⁹

The Ḥadīth establishes that this knowledge is sufficient for one to become a Muslim, thereby being the foundation of Islām. Imām ‘Abd al-Laṭīf ibn ‘Abd ar-Raḥmān, may Allāh have mercy upon him, said:

وأهمُّ ما يُبدَأُ به في التَّعليمِ، هو معرفةُ أصولِ الدِّينِ وقواعدِ الإسلامِ، التي لا يحصلُ بدونها، ولا يستقيمُ بناؤها إلاَّ عليها، لا سيَّما معرفةُ ما دلَّتْ عليه كلمةُ التَّوحيدِ، شهادةُ أن لا إلهَ إلاَّ الله، من الإيمانِ باللهِ ومعرفةِ وتوحيدهِ، بإخلاصِ العبادةِ بأنواعِها له سبحانه، والبراءةِ من كلِّ معبودٍ سِواه، والقيامُ بذلكَ علماً وعملاً. فإنَّ هذا هو أصلُ الدِّينِ وقاعدتهُ.

“The most essential point to begin with in teaching is understanding the Uṣūl ad-Dīn and the foundations of Islām, without which faith cannot be attained, nor can its structure be established except upon them. Especially important is understanding the meaning of the statement of Tawḥīd, the testimony of ‘Lā ilāha illā Allāh’, which encompasses belief in Allāh, knowing Him, affirming His

¹⁹ Ṣaḥīḥ al-Bukhārī No. 1395, Ṣaḥīḥ Muslim Nr. 19

Oneness, dedicating all forms of worship sincerely to Him alone, disassociating from every deity besides Him, and upholding this both in knowledge and action. This is the foundation and cornerstone of the religion.”²⁰

Imām Ibn Jarīr at-Ṭabarī, may Allāh have mercy upon him, said regarding these issues:

كُلُّ مَنْ بَلَغَ حَدَّ التَّكْلِيفِ مِنْ أَهْلِ الصِّحَّةِ وَالسَّلَامَةِ، فَلَنْ يَغْدَمَ دَلِيلًا دَالًا وَبُرْهَانًا وَاضِحًا يَدُلُّهُ عَلَى وَحْدَانِيَّةِ رَبِّهِ جَلَّ تَنَازُؤُهُ، وَيُوضِحُ لَهُ حَقِيقَةَ صِحَّةِ ذَلِكَ؛ وَلِذَلِكَ لَمْ يُعْذِرَ اللَّهُ جَلَّ ذِكْرُهُ أَحَدًا كَانَ بِالصِّفَةِ الَّتِي وَصِفَتْ بِالْجَهْلِ وَبِأَسْمَائِهِ، وَالْحَقُّهُ إِنْ مَاتَ عَلَى الْجَهْلِ بِهِ بِمَنَازِلِ أَهْلِ الْعِنَادِ فِيهِ تَعَالَى ذِكْرُهُ، وَالْخِلَافُ عَلَيْهِ بَعْدَ الْعِلْمِ بِهِ، وَبِرُبُوبِيَّتِهِ فِي أَحْكَامِ الدُّنْيَا، وَعَذَابِ الْآخِرَةِ.

“Everyone who has reached the age of Taklīf²¹ and possesses sound health and well-being will inevitably find clear evidence and a clear proof guiding them to the oneness of their Lord, exalted is His praise, and clarifying the truth of that belief. Therefore, Allāh, exalted is His mention, has not excused anyone possessing such qualities from being ignorant of His names. If they die in ignorance of Him, He ranks them alongside those who stubbornly opposed Him, exalted is He, and disputed Him after knowing of Him and His Lordship, in both the rulings of this world and the punishment of the Hereafter.”²²

There is no excuse for the one who is Mukallaf²³ and disbelieves in the Uṣūl ad-Dīn as every mistake nullifies the testimony of “Lā ilāha illā Allāh”. Neither ignorance, nor misconception are a legal excuse and the perpetrator of Shirk is always labeled a disbelieving Mushrik.

²⁰ Majmū‘at ar-Rasā’il wa al-Masā’il an-Najdiyyah 3/56

²¹ Legal accountability which comes with puberty

²² at-Tabṣīr fī Ma‘ālim ad-Dīn 1/117

²³ The state of being legally responsible and sound-minded

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, narrated the consensus when he said:

مَنْ اسْتَعَاثَ بِمَيِّتٍ أَوْ غَائِبٍ مِنَ الْبَشَرِ، بِحَيْثُ يَدْعُوهُ فِي الشَّدَائِدِ وَالْكُرْبَاتِ، وَيَطْلُبُ مِنْهُ قَضَاءَ الْحَوَائِجِ، فَيَقُولُ: يَا سَيِّدِي الشَّيْخُ فُلَانٌ، أَنَا فِي حَسْبِكَ وَجِوَارِكَ، أَوْ يَقُولُ عِنْدَ هُجُومِ الْعَدُوِّ عَلَيْهِ: يَا سَيِّدِي فُلَانٌ، يَسْتَوْحِيهِ وَيَسْتَعِيْثُ بِهِ، أَوْ يَقُولُ ذَلِكَ عِنْدَ مَرَضِهِ وَفَقْرِهِ، وَغَيْرِ ذَلِكَ مِنْ حَاجَاتِهِ، فَإِنَّ هَذَا ضَالٌّ جَاهِلٌ مُشْرِكٌ عَاصٍ لِلَّهِ بِاتِّفَاقِ الْمُسْلِمِينَ.

“Whoever seeks help from a deceased or an absent person among humans, calling upon them in times of hardship and distress, and asks them to fulfill needs by saying: ‘O my master, Shaykh so-and-so, I am under your protection and seeking your aid’, or says upon the enemy attacking him: ‘O my master, so-and-so’, seeking his aid, or says this during sickness, poverty, or other needs - such a person is misguided, ignorant, a Mushrik who is disobedient to Allāh by consensus of the Muslims.”²⁴

So even though these people were ignorant, they were labeled ignorant Mushrikīn. Imām ‘Abdullāh Abā Buṭayn, may Allāh have mercy upon him, said regarding the words of Shaykh al-Islām:

فَقَدْ جَزَمَ رَحِمَهُ اللَّهُ فِي مَوَاضِعَ كَثِيرَةٍ: بِكُفْرِ مَنْ فَعَلَ مَا ذَكَرَهُ مِنْ أَنْوَاعِ الشِّرْكِ، وَحَكَى إِجْمَاعَ الْمُسْلِمِينَ عَلَى ذَلِكَ، وَلَمْ يَسْتَثْنِ الْجَاهِلَ وَنَحْوَهُ.

“He, may Allāh have mercy on him, was decisive in numerous instances, ruling that whoever committed the acts of Shirk he mentioned has fallen into disbelief, and he related the consensus of Muslims on this without exempting the ignorant or those similar.”²⁵

²⁴ Jāmi‘ al-Masā’il 3/145-146

²⁵ al-Intiṣār li-Ḥizb Allāh al-Muwahhīdīn 1/62

Imām Ibn al-Qayyim, may Allāh have mercy upon him, also affirmed this when he said:

فَالْمُعْرِضُ عَنِ التَّوْحِيدِ مُشْرِكٌ، شَاءَ أَمْ أَبَى.

"Anyone who turns away from Tawḥīd is a polytheist, whether they acknowledge it or not."²⁶

Imām ‘Abd ar-Raḥmān ibn Ḥasan, may Allāh have mercy upon him, authored “al-Adillah wa al-Barāhin ‘alā ‘Adam al-‘Udhr bi al-Jahl fī Uṣūl ad-Dīn²⁷”, refuting the claim that ignorance in Uṣūl ad-Dīn is excusable.

Among the Uṣūl ad-Dīn is loyalty to Islām and the Muslims and disassociating from Shirk and its people. Therefore, whoever allies with the disbelievers against the Muslims disbelieves and there is no excuse for him besides Ikrāh. Allāh ta‘ālā said:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَارَىٰ أَوْلِيَاءَ ۚ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ ۚ وَمَن يَتَوَلَّهُمْ مِنكُمْ فَإِنَّهُ مِنَهُمْ²⁸

"O you who have believed, do not take the Jews and the Christians as allies. They are allies of one another. And whoever is an ally to them among you, then indeed, he is of them."²⁸

Imām Sulaymān ibn ‘Abdillāh, may Allāh accept him, said regarding the one who allies with apostates against the Muslims while he hates the apostates and their religion:

²⁶ Ighāthat al-Lahfān 1/214

²⁷ The title translates to: “The Evidences and Proofs Regarding the Non-Excusability of Ignorance in Uṣūl ad-Dīn.”

²⁸ Sūrat al-Mā’idah: 51

فَإِنَّ هَذَا لَا يَشُكُّ مُسْلِمٌ أَنَّهُ كَافِرٌ، مِنْ أَشَدِّ النَّاسِ عَدَاوَةً لِلَّهِ وَرَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَلَا يُسْتَنْنَى مِنْ ذَلِكَ إِلَّا الْمُكْرَهُ.

“For there is no doubt among Muslims that such a person is a disbeliever, among the most hostile people toward Allāh and His Messenger, ṣallā-llāhu ‘alayhi wa sallam. The only exception to this ruling is one who is coerced.”²⁹

Allying with disbelievers can occur through supporting them with wealth, physical assistance, or aiding them with the pen and opinion. Shaykh ‘Abdullāh ibn ‘Abd al-Laṭīf, may Allāh have mercy upon him, said:

التَّوَلَّى كُفْرٌ يُخْرِجُ مِنَ الْمِلَّةِ، وَهُوَ كَالذَّبِّ عَنْهُمْ، وَإِعَانَتُهُمْ بِأَلْمَالِ وَالْبَدَنِ وَالرَّأْيِ.

“Allying (with them) is Kufr that takes one out of the religion. It is through defending them, and assisting them with wealth, body, and opinion.”³⁰

Anyone who falls into Kufr in the Uṣūl ad-Dīn is labeled a disbeliever prior to the Ḥujjah being established upon him and therefore the judgements of the Kāfir are applied upon him in this world. As for the one who commits Kufr in the Uṣūl ad-Dīn while being ignorant and not being able to obtain access to knowledge, then he is regarded a disbeliever regarding his worldly judgement only and it is not permissible to ascribe punishment in the afterlife for him due Allāh ta‘ālā’s saying:

وَمَا كُنَّا مُعَذِّبِينَ حَتَّى نَبْعَثَ رَسُولًا

“And We do not punish until We send a messenger.”³¹

²⁹ ad-Dalā’il 1/29

³⁰ ad-Durar as-Saniyyah 8/422

³¹ Sūrat al-Isrā’: 15

Imām Ḥamad ibn Mu‘ammar, may Allāh have mercy upon him, explained this further when he said:

إِذَا كَانَ يَعْمَلُ بِالْكَفْرِ وَالشِّرْكِ، لِجَهْلِهِ، أَوْ عَدَمِ مَنْ يُبَيِّنُهُ، لَا نَحْكُمُ بِكُفْرِهِ حَتَّى تُقَامَ عَلَيْهِ الْحُجَّةُ؛ وَلَكِنْ لَا نَحْكُمُ بِأَنَّهُ مُسْلِمٌ، بَلْ نَقُولُ عَمَلُهُ هَذَا كُفْرٌ، يُبِيحُ الْمَالَ وَالْدَّمَ، وَإِنْ كُنَّا لَا نَحْكُمُ عَلَى هَذَا الشَّخْصِ، لِعَدَمِ قِيَامِ الْحُجَّةِ عَلَيْهِ؛ لَا يُقَالُ: إِنْ لَمْ يَكُنْ كَافِرًا، فَهُوَ مُسْلِمٌ، بَلْ نَقُولُ عَمَلُهُ عَمَلُ الْكَافِرِ، وَإِطْلَاقُ الْحُكْمِ عَلَى هَذَا الشَّخْصِ بِعَيْنِهِ، مُتَوَقِّفٌ عَلَى بُلُوغِ الْحُجَّةِ الرَّسَالِيَّةِ.

“If someone practiced disbelief and Shirk out of ignorance or due to the absence of someone to alert them, we do not declare them a disbeliever until the proof has been established against them. However, we do not rule that they are Muslim either. Instead, we say their action is an act of disbelief that justifies the taking of life and property. Even though we do not declare the individual a disbeliever due to the lack of proof being established, it is not correct to say: ‘If they are not a disbeliever, then they are a Muslim.’ Rather, we say their action is the action of disbelievers, and the judgment on this individual is dependent on the establishment of the proof of the message.”³²

So he is not declared as a disbeliever when it comes to the punishment in the Hereafter as this is tied to knowing and rejecting the truth but the judgement of the Muslims are not applied upon him and he is regarded as a disbeliever in this world as Shirk and Islām are two contraries that can never coexist.³³

³² ad-Durar as-Saniyyah 10/136

³³ The later scholars differentiated between Takfir Hukmī, which describes the Takfir of punishment, and Takfir Ismī, which describes the Takfir when it comes to labeling. Therefore, when a scholar said that the perpetrator of Shirk is not to be declared Takfir of until the Hujjah received him, then they referred to Takfir of punishment and not Takfir of labeling. There is no dispute among the scholars that the perpetrator of Shirk is always labeled a disbeliever.

Masā'il adh-Dhāhirah

These are the apparent and clear issues upon which there is no doubt and disagreement. This can happen either through the prevalence of knowledge in the land among the people or because of the clarity of this issue in the Qur'ān and the Sunnah.

These matters include the essential knowledge of Islām, such as the obligation to perform prayer and fast during Ramaḍān, the prohibition of intoxicants, Zinā, and interest, as well as the clear understanding that Allāh has risen upon the throne above the heavens.

There is generally no excuse for Kufr in Masā'il adh-Dhāhirah as anyone who has access to Qur'ān and Sunnah is considered to have had the Ḥujjah³⁴ established upon them. Imām Sulaymān ibn Saḥmān, may Allāh have mercy upon him, said regarding apparent issues:

فَمَنْ بَلَغَتْهُ رِسَالَةُ مُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَبَلَغَهُ الْقُرْآنُ فَقَدْ قَامَتْ عَلَيْهِ الْحُجَّةُ.

"So whoever has had the Message of Muḥammad, ṣallā-llāhu 'alayhi wa sallam, and the Qur'ān reach him, then the Ḥujjah has been established upon him."³⁵

Imām Ḥamad ibn Mu'ammār, may Allāh have mercy upon him, also said:

كُلُّ مَنْ بَلَغَهُ الْقُرْآنُ فَلَيْسَ بِمَعْذُورٍ.

"Whoever the Qur'ān has reached is not excused."³⁶

³⁴ Proof

³⁵ Kashf ash-Shubhatayn 1/92

³⁶ ad-Durar as-Saniyyah 11/73

Imām ‘Abdullāh Abā Buṭayn, may Allāh have mercy upon him, said:

الَّذِي لَا يَعْتَقِدُ وَجُوبَ الصَّلَاةِ وَلَا عَدَمَ وَجُوبِهَا، أَوْ لَا يَعْتَقِدُ تَحْرِيمَ الزِّنَا وَلَا عَدَمَ تَحْرِيمِهِ، وَهَذَا كُفْرٌ بِإِجْمَاعِ الْعُلَمَاءِ، وَلَا عُذْرَ لِمَنْ كَانَ حَالُهُ هَكَذَا، بِكَوْنِهِ لَمْ يَفْهَمْ حُجَجَ اللَّهِ وَبَيِّنَاتِهِ، لِأَنَّهُ لَا عُذْرَ لَهُ بَعْدَ بُلُوغِهَا، وَإِنْ لَمْ يَفْهَمْهَا.

“One who does not believe in the obligation of prayer or in it being not obligatory, or one who does not believe in the prohibition of Zinā or in it being not forbidden - this is disbelief by the consensus of the scholars. There is no excuse for one in such a state on the grounds that he did not understand the proofs and evidences of Allāh, because there is no excuse for him after they have reached him, even if he did not comprehend them.”³⁷

The Shaykh, may Allāh have mercy upon him, affirmed that there is no excuse for this person out of ignorance, neither out of lack of understanding because the Qur’ān and the Sunnah have reached him and these two leave no room for doubt for these things.

Likewise, the one who utters words that are apparently Kufr, is not excused. Imām ‘Abd al-Laṭīf ibn ‘Abd ar-Raḥmān, may Allāh have mercy upon him, said:

وَقَدْ قَرَّرَ الْفُقَهَاءُ، وَأَهْلُ الْعِلْمِ فِي بَابِ الرَّدَّةِ وَغَيْرِهَا أَنَّ الْأَلْفَاظَ الصَّرِيحَةَ يُجْرِي حُكْمُهَا وَمَا تَقْتَضِيهِ وَإِنْ زَعَمَ الْمُتَكَلِّمُ بِهَا أَنَّهُ قَصَدَ مَا يُخَالِفُ ظَاهِرَهَا. وَهَذَا صَرِيحٌ فِي كَلَامِهِمْ يَعْرِفُهُ كُلُّ مُمَارِسٍ، وَلَكِنَّ الْهَوَى أَحَالَ عُقُولَ عِبَادِ الْفُجُورِ وَفُهِمَتْهُمْ عَنْ مُسْتَقَرِّهَا.

“The scholars of jurisprudence and people of knowledge have established in the chapter on apostasy and other topics that explicit words are judged according to their

³⁷ ad-Durar as-Saniyyah 10/366

apparent meaning and what they entail, even if the one who spoke them claims to have intended something contrary to their apparent meaning. This is explicit in their statements, known to anyone familiar with the subject. However, personal desires have led the minds and understanding of those who worship graves away from their proper course.”³⁸

However, when words are spoken that could possibly be understood as clear disbelief but these words are ambiguous and leave room for serious doubts on what was really intended, then Takfīr is not declared upon the one who utters these words due to the fundamental rule:

الْيَقِينُ لَا يَرُؤُلُ بِالشَّكِّ.

“Certainty is not eliminated by doubt.”

Imām Muḥammad ibn ‘Abd al-Wahhāb, may Allāh have mercy upon him, affirmed this when he said:

مَنْ أَظْهَرَ الْإِسْلَامَ، وَظَنَّنَا أَنَّهُ أَتَى بِنَاقِضٍ، لَا نُكْفِّرُهُ بِالظَّنِّ، لِأَنَّ الْيَقِينَ لَا يَعْرِفُهُ بِالظَّنِّ.

“Whoever outwardly shows Islām, and we suspect that they have committed something nullifying it, we do not declare them disbelievers based on suspicion, because certainty is not established through doubt.”³⁹

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, said those who utters words of disbelief in Masā’il adh-Dhāhirah:

³⁸ Minhāj at-Ta’sīs wa at-Taqdīs 1/124

³⁹ ar-Rasā’il ash-Shakhsiyyah 1/24

وَأَمَّا مَا يَقَعُ مِنْهُمْ فِي الْمَسَائِلِ الظَّاهِرَةِ الْجَلِيَّةِ، أَوْ مَا يُعْلَمُ مِنَ الدِّينِ بِالضَّرُورَةِ،
فَهَذَا لَا يَتَوَقَّفُ فِي كُفْرٍ قَائِلِهِ

“As for what occurs from them in evident Masā’il adh-Dhāhirah, or in issues necessarily known to be part of the religion, there is no hesitation in declaring the speaker a disbeliever.”⁴⁰

The one who commits Kufr in Masā’il adh-Dhāhirah is labeled a Kāfir unless the perpetrator falls into one of four categories:

1) The Coerced

Whoever is in the state of Ikrāh al-Mulji’⁴¹ is excused due to Allāh ta‘ālā’s saying:

إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالإِيمَانِ

“Except for one who is forced while his heart is secure in faith”⁴²

2) The New Muslim

The one who recently accepted Islām is excused due to him not being able to attain all knowledge at once. Allāh ta‘ālā said:

لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا

⁴⁰ ad-Durar as-Saniyyah 10/433

⁴¹ Ikrāh al-Mulji’ refers to a level of Ikrāh so severe that it permits the compelled individual to take otherwise impermissible actions, including uttering words of disbelief. This type of Ikrāh involves an overwhelming threat, such as death or severe bodily harm, leaving the person with no real choice but to comply.

⁴² Sūrat an-Nāḥl: 116

“Allāh does not burden a soul beyond its capacity.”⁴³

3) The Isolated One

He is the one who has no access to the Qur’ān and the Sunnah but has established the Uṣūl ad-Dīn while not being able to attain more knowledge due to his circumstances. This person is excused due to to him not having reached the proof.

As for the one who is affected from self-imposed ignorance due to idleness, then he disbelieves.

4) The Unintentional Errant

The Prophet, ṣallā-llāhu ‘alayhi wa sallam, said:

لَلَّهِ أَشَدُّ فَرَحًا بِتَوْبَةِ عَبْدِهِ حِينَ يَتُوبُ إِلَيْهِ مِنْ أَحَدِكُمْ كَانَ عَلَى رَاحِلَتِهِ بِأَرْضٍ فَلَاةٍ
فَانْفَلَتَتْ مِنْهُ وَعَلَيْهَا طَعَامُهُ وَشِرَابُهُ فَأَيَسَ مِنْهَا فَأَتَى شَجَرَةً فَاضْطَجَعَ فِي ظِلِّهَا قَدْ
أَيَسَ مِنْ رَاحِلَتِهِ فَبَيْنَا هُوَ كَذَلِكَ إِذَا هُوَ بِهَا قَائِمَةً عِنْدَهُ فَأَخَذَ بِخِطَامِهَا ثُمَّ قَالَ مِنْ
شِدَّةِ الْفَرَحِ اللَّهُمَّ أَنْتَ عَبْدِي وَأَنَا رَبُّكَ، أَخْطَأَ مِنْ شِدَّةِ الْفَرَحِ

“Allāh is more pleased with the repentance of His servant than any one of you would be if he were on his camel in a barren desert and it ran away with all his food and drink. Despairing of ever finding it, he lies down in the shade of a tree, having given up hope. Then, all of a sudden, the camel is standing right in front of him. He grabs its reins and out of extreme joy he exclaims, ‘O Allāh, You are my servant and I am Your Lord,’ making a mistake out of sheer happiness.”⁴⁴

⁴³ Sūrat al-Baqarah: 286

⁴⁴ Ṣaḥīḥ Muslim No. 2747, Ṣaḥīḥ al-Bukhārī No. 6309

The man did not become a disbeliever eventhough his words itself are disbelief as they state that Allāh ta‘ālā has a Lord above him, exalted is He beyond that. However, this man did not intend the reality of his saying but rather intended saying something else and thereby did not disbelieve. Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, said:

وَقَدْ سَبَقَ اللِّسَانُ بِغَيْرِ مَا قَصَدَ الْقَلْبُ، كَمَا يَقُولُ الدَّاعِي مِنَ الْفَرَحِ اللَّهُمَّ أَنْتَ عَبْدِي...

“The tongue spoke what the heart did not intend, as the person who says out of joy, ‘O Allāh, You are my servant...”⁴⁵

If the statement or action was intended while the judgement of the action was unknown, the person disbelieves. Imām Muḥammad ibn ‘Abd al-Wahhāb, may Allāh have mercy upon him, said:

أَمَّا كَوْنُهُ أَنَّهُ لَا يَعْرِفُ أَنَّهَا تُكْفِرُهُ فَيَكْفِي فِيهِ قَوْلُهُ: ‘لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيْمَانِكُمْ’. فَهُمْ يَعْتَذِرُونَ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ظَانِّينَ أَنَّهَا لَا تُكْفِرُ.

“As for not knowing that it constitutes Kufr, it suffices to cite His statement: ‘Do not make excuses. You have disbelieved after your belief.’ They are apologizing to the Prophet, ṣallā-llāhu ‘alayhi wa sallam, (for mocking the religion), thinking it does not constitute Kufr.”⁴⁶

Invalid excuses such as fear, necessity, benefit, blind following, deception or misconceptions are not accepted and have no basis in the Sharī‘ah regarding Kufr in Masā’il adh-Dhāhirah.

⁴⁵ Takhlīs ar-Radd ‘alā l-Bakrī 1/244

⁴⁶ Tārīkh Najd 1/452

Masā'il al-Khafiyyah

These are the issues of the religion which are hidden for the people or issues that have become unclear because of widespread ignorance and misconceptions.

Masā'il al-Khafiyyah can include issues of Fiqh such as the Siwāk being recommended or the virtue of supplicating between the Adhān and the Iqāmah. Likewise can it include matters of 'Aqīdah that do not belong to the Uṣūl ad-Dīn about which misconceptions are widespread.

The one who commits disbelief in one of the Masā'il al-Khafiyyah is not considered a disbeliever until he received a detailed Ḥujjah which eliminates doubts and removes the preventatives. Imām Muḥammad ibn 'Abd al-Wahhāb, may Allāh have mercy upon him, said regarding unclear issues:

وَأَمَّا الْمُعَيَّنُ، فَإِنْ عَرَفَ الْحَقَّ وَخَالَفَ، كُفِرَ بِعَيْنِهِ، وَإِلَّا لَمْ يُكْفَرْ.

“As for a specific individual: if he knew the truth and opposed it, he would be declared a disbeliever individually. Otherwise, he would not be declared a disbeliever.”⁴⁷

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, also said regarding disbelief in these matters:

إِنْ كَانَ فِي الْمَقَالَاتِ الْخَفِيَّةِ فَقَدْ يُقَالُ إِنَّهُ فِيهَا مُخْطِئٌ ضَالٌّ لَمْ تَقُمْ عَلَيْهِ الْحُجَّةُ الَّتِي يُكْفَرُ تَارِكُهَا

“If it pertains to hidden matters, it could be said that the individual is mistaken and misguided, and that the Ḥujjah

⁴⁷ ad-Durar as-Saniyyah 10/70

which renders its rejecter a disbeliever has not been established upon him.”⁴⁸

The scholars of Ahl as-Sunnah unanimously agree that the one who commits large sins does not disbelieve. However, when ignorance spread among the people, the Khawārij rejected this consensus, which is disbelief. Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, said regarding the clear consensus:

وَمُخَالَفُ مِثْلِ هَذَا الْإِجْمَاعِ يَكْفُرُ، كَمَا يَكْفُرُ مُخَالَفُ النَّصِّ الْبَيِّنِ

“And the one who opposes such a consensus becomes a disbeliever, just as the one who opposes an explicit text becomes a disbeliever.”⁴⁹

However, when the news reached ‘Alī ibn Abī Tālib, may Allāh be pleased with him, about this group and he was asked whether they are disbelievers, he replied:

إِخْوَانُنَا بَغَوْا عَلَيْنَا

“They are our brothers who revolted against us.”⁵⁰

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, clarified:

الْخَوَارِجُ الْمَارْفُوقُونَ الَّذِينَ أَمَرَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِقِتَالِهِمْ قَاتَلَهُمْ أَمِيرُ الْمُؤْمِنِينَ عَلِيُّ بْنُ أَبِي طَالِبٍ أَحَدُ الْخُلَفَاءِ الرَّاشِدِينَ، وَاتَّفَقَ عَلَى قِتَالِهِمْ أَيْمَةُ الدِّينِ مِنَ الصَّحَابَةِ وَالتَّابِعِينَ وَمَنْ بَعْدَهُمْ، وَلَمْ يُكْفَرْهُمْ عَلِيُّ بْنُ أَبِي طَالِبٍ وَسَعْدُ بْنُ أَبِي وَقَّاصٍ وَغَيْرُهُمَا مِنَ الصَّحَابَةِ بَلْ جَعَلُوهُمْ مُسْلِمِينَ مَعَ قِتَالِهِمْ

⁴⁸ Majmū‘ al-Fatāwā 18/54

⁴⁹ Majmū‘ al-Fatāwā 7/39

⁵⁰ as-Sunan al-Kubrā No. 16731

“The rebellious Khawārij, whom the Prophet, ṣallā-llāhu ‘alayhi wa sallam, commanded to fight, were fought by Amīr al-Mu’minīn, ‘Alī ibn Abī Ṭālib, one of the Rightly Guided Khulafā’. The leaders of the faith from among the Ṣaḥābah, the Tābi‘īn, and those who followed them agreed on fighting them. However, neither ‘Alī ibn Abī Ṭālib nor Sa’d ibn Abī Waqqāṣ, nor any of the other Ṣaḥābah, declared them disbelievers; rather, they considered them as Muslims despite fighting against them.”⁵¹

They were excused due to them having misconceptions while believing that they are upon the truth. However, if the Ḥujjah were established upon them clearly and they remained stubborn, then they would have disbelieved for rejecting the Qur’ān and the Sunnah. Allāh ta‘ālā said:

أَفْتُوْمُنُوْنَ بِبَعْضِ الْكِتَابِ وَتَكْفُرُوْنَ بِبَعْضٍ ۖ فَمَا جَزَاءُ مَن يَفْعَلُ ذَٰلِكَ مِنْكُمْ إِلَّا خِزْيٌ فِي الْحَيَاةِ الدُّنْيَا ۖ وَيَوْمَ الْقِيَامَةِ يُرَدُّوْنَ إِلَىٰ أَشَدِّ الْعَذَابِ ۗ وَمَا اللَّهُ بِغَافِلٍ عَمَّا تَعْمَلُونَ

“Do you believe in part of the Book and reject the rest? Then what is the recompense for those who do so among you except disgrace in worldly life, and on the Day of Resurrection, they will be sent back to the severest of punishment. And Allāh is not unaware of what you do.”⁵²

Whoever falls into a serious innovation related to Masā’il al-Khafiyyah is excused from disbelief but remains guilty of a large sin. However, if someone actively calls others to such an serious innovation, they are deemed a disbeliever, even if the matter is obscure.

⁵¹ Majmū‘ al-Fatāwā 3/282

⁵² Sūrat al-Baqarah: 85

Shaykh Majd ibn Taymiyyah, the grand father of Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon them both, said:

الصَّحِيحُ أَنَّ كُلَّ بِدْعَةٍ كَفَرْنَا فِيهَا الدَّاعِيَةَ، فَإِنَّا نَفْسَقُ الْمُقْلَدَ فِيهَا

“The correct view is that for every innovation in which we declare the proponent to be a disbeliever, we regard the follower who imitates them as a sinner.”⁵³

The Ḥujjah is established by anyone who has precise knowledge of the Qur’ān and the Sunnah in this branch like the student of knowledge or a scholar.

If someone commits disbelief and the wickedness of the deed is known among the people while it’s judgement of disbelief is not known, then the doer of the deed is nevertheless labeled a disbeliever.⁵⁴

The valid excuses for errors in Masā’il al-Khafiyyah for the sane Muslim who has reached the age of Taklīf are:

- 1) Self-Imposed Ignorance
- 2) Misconceptions
- 3) Taqlīd⁵⁵
- 4) Ikrāh
- 5) Ignorance Due To Lack Of Access
- 6) Ijtihād⁵⁶

If the Ḥujjah is established by someone who is capable and the preventatives and doubts are removed while the

⁵³ al-Inṣāf 12/48

⁵⁴ Like the one who leaves the prayer while the people do not consider it as disbelief in his area.

⁵⁵ Blind imitation of a scholar

⁵⁶ Independent reason of a scholar based on Qur’ān and Sunnah

person still remains stubborn, then he disbelieves as he rejected the truth.

This category is where many contemporaries go astray, as they approach all matters as if they were Masā'il al-Khafiyyah. Some even extend this to excusing those who commit Shirk out of ignorance, insisting on the necessity of establishing a detailed Hujjah upon them before any accountability. Imām Sulaymān ibn Saḥmān, may Allāh have mercy upon him, said:

وَهُؤُلَاءِ الْأَغْيَاءُ أَجْمَلُوا الْقَضِيَّةَ وَجَعَلُوا كُلَّ جَهْلٍ عُذْرًا وَلَمْ يُفَصِّلُوا، وَجَعَلُوا
الْمَسَائِلَ الظَّاهِرَةَ الْجَلِيَّةَ وَمَا يُعْلَمُ مِنَ الدِّينِ بِالضَّرُورَةِ كَالْمَسَائِلِ الْخَفِيَّةِ الَّتِي قَدْ
يَخْفَى دَلِيلُهَا عَلَى بَعْضِ النَّاسِ، وَكَذَلِكَ مَنْ كَانَ بَيْنَ أَظْهَرِ الْمُسْلِمِينَ كَمَنْ نَشَأَ
بِبَادِيَةِ بَعِيدَةٍ أَوْ كَانَ حَدِيثَ عَهْدٍ بِالإِسْلَامِ.

“And these foolish ones generalized the issue and made every ignorance an excuse, without making distinctions. They treated the Masā'il adh-Dhāhirah and what is necessarily known from the religion (Uṣūl ad-Dīn) as equivalent to the Masā'il al-Khafiyyah whose evidence might be hidden from some people. Likewise, they treated those living among the Muslims as if they were like someone raised in a distant desert or someone newly converted to Islām.”⁵⁷

⁵⁷ Kashf al-Awhām wa al-Itibās 1/117

Takfīr al-‘Ādhir

Takfīr al-‘Ādhir describes the Takfīr upon the one who mistakenly refrains from Takfīr upon a disbeliever or sets invalid preventatives.

The one who refrains from Takfīr upon the Mushrik is guilty of an agreed-upon nullifier of Islām, and his disbelief is contingent upon the establishment of the Ḥujjah against him, unlike the one who errs in the Uṣūl ad-Dīn. Imām al-Malaṭī, may Allāh have mercy upon him, narrated the consensus when he said:

جَمِيعُ أَهْلِ الْقِبْلَةِ لَا اخْتِلَافَ بَيْنَهُمْ أَنَّ مَنْ شَكَّ فِي كَافِرٍ فَهُوَ كَافِرٌ.

“All the people of the Qiblah have no disagreement among them that whoever doubts regarding a disbeliever is himself a disbeliever.”⁵⁸

So know, may Allāh have mercy upon you, that the ‘Ādhir belongs into one of three categories:

1) The ‘Ādhir Regarding Apparent Disbelievers

The apparent disbelievers are those whose Kufr belongs to the Masā’il adh-Dhāhirah, whether these disbelievers are original disbelievers like the Jews and the Christians or clear apostates from the religion of Islām.

This type of ‘Ādhir is considered a disbeliever before the detailed Ḥujjah has received him as his only Ḥujjah is the Qur’ān and the Sunnah with no preventatives other than the preventatives regarding the Masā’il adh-Dhāhirah.

⁵⁸ at-Tanbīh wa ar-Radd ‘alā Ahl al-Ahwā’ wa al-Bida’ 1/40

Imām al-Ḥajjāwī, may Allāh have mercy upon him, said regarding those who refrain from Takfīr upon the disbelievers who follow another religion:

(مَنْ) لَمْ يُكْفِرْ مَنْ دَانَ بِغَيْرِ الْإِسْلَامِ: كَالنَّصَارَى، أَوْ شَكَ فِي كُفْرِهِمْ، أَوْ صَحَّحَ مَذْهَبَهُمْ، أَوْ قَالَ قَوْلًا يُتَوَصَّلُ بِهِ إِلَى تَضْلِيلِ الْأُمَّةِ، أَوْ تَكْفِيرِ الصَّحَابَةِ - فَهُوَ كَافِرٌ.

“(Whoever) does not declare Takfīr upon those who follow a religion other than Islām, such as the Christians, or doubts their disbelief, or validates their beliefs, or makes a statement that leads to misleading the Ummah or makes Takfīr upon the Ṣaḥābah - then he is himself a Kāfir.”⁵⁹

As for the ‘Ādhir of the clear and apparent apostates who ascribe themselves to Islām, then he disbelieves as well prior to the Ḥujjah according to the consensus of the Muslims. Imām Sufyān ibn ‘Uyaynah, may Allāh be pleased with him, said regarding the Jahmiyyah who ascribe themselves to Islām:

الْقُرْآنُ كَلَامُ اللَّهِ عَزَّ وَجَلَّ، مَنْ قَالَ: مَخْلُوقٌ، فَهُوَ كَافِرٌ، وَمَنْ شَكَ فِي كُفْرِهِ فَهُوَ كَافِرٌ

“The Qur’ān is the speech of Allāh, exalted and majestic. Whoever says it is created is a disbeliever, and whoever doubts his disbelief is also a disbeliever.”⁶⁰

One of the A’immah of the Da‘wah, may Allāh have mercy on them, said regarding those who refrain from Takfīr upon the apostate Ottoman leaders and other grave worshippers who ascribed themselves to Islām:

⁵⁹ al-Iqnā‘ 4/298

⁶⁰ Kitāb as-Sunnah li-‘Abdillāh ibn Aḥmad No. 25

مَنْ لَمْ يُكْفِرِ الْمُشْرِكِينَ مِنَ الدَّوْلَةِ التُّرْكِيَّةِ وَعِبَادِ الْقُبُورِ، كَأَهْلِ مَكَّةَ وَغَيْرِهِمْ مِمَّنْ عَبْدَ الصَّالِحِينَ وَبَدَّلَ تَوْحِيدَ اللَّهِ إِلَى الشِّرْكِ، وَبَدَّلَ سُنَّةَ رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالْبِدْعِ، فَهُوَ كَافِرٌ مِثْلَهُمْ، وَإِنْ كَانَ يَكْرَهُ دِينَهُمْ، وَيُبْغِضُهُمْ، وَيُحِبُّ الْإِسْلَامَ وَالْمُسْلِمِينَ. فَإِنَّ الَّذِي لَا يُكْفِرُ الْمُشْرِكِينَ، غَيْرُ مُصَدِّقٍ بِالْقُرْآنِ، فَإِنَّ الْقُرْآنَ قَدْ كَفَرَ الْمُشْرِكِينَ، وَأَمَرَ بِتَكْفِيرِهِمْ، وَعَادَاوَتِهِمْ، وَقِتَالِهِمْ.

“Whoever does not declare the Mushrikīn from the Turkish state⁶¹, the grave worshippers, such as the people of Makkah and others who worshipped the righteous, and who abandoned Tawḥīd for Shirk, and who replaced the Sunnah of His Messenger, ṣallā-llāhu ‘alayhi wa sallam, with innovations, is a disbeliever like them, even if he dislikes their religion, hates them, and loves Islām and the Muslims. For whoever does not declare the Mushrikīn to be disbelievers does not truly believe in the Qur’ān, for the Qur’ān has declared the Mushrikīn to be disbelievers and has commanded that they be declared disbelievers, opposed, and fought.”⁶²

The Shaykh clarified that the reason of Kufr of the ‘Ādhir is tied to him rejecting the Qur’ān. Imām Sulaymān ibn Saḥmān also declared those who excuse the grave worshippers and Jahmiyyah as disbelievers when he said:

لَا تَصِحُّ إِمَامَةُ مَنْ لَا يُكْفِرُ الْجَهْمِيَّةَ، وَالْقُبُورِيِّينَ، أَوْ يَشْكُ فِي تَكْفِيرِهِمْ؛ وَهَذِهِ الْمَسْأَلَةُ مِنْ أَوْضَحِ الْوَاضِحَاتِ عِنْدَ طُلُبَةِ الْعِلْمِ وَأَهْلِ الْأَثَرِ.

“The Imāmah⁶³ of one who does not declare the Jahmiyyah and grave-worshippers to be disbelievers, or who doubts their disbelief, is not valid. This matter is among the clearest issues for students of knowledge and the people of narrations.”⁶⁴

⁶¹ This was stated during a time in which the disbelief of the Ottoman empire was apparent.

⁶² ad-Durar as-Saniyyah 9/291

⁶³ Leadership in prayer

⁶⁴ ad-Durar as-Saniyyah 10/436

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, also mentioned:

مَنْ دَعَا عَلِيَّ بْنَ أَبِي طَالِبٍ، فَقَدْ كَفَرَ، وَمَنْ شَكَّ فِي كُفْرِهِ، فَقَدْ كَفَرَ.

“Whoever calls upon ‘Alī ibn Abī Ṭālib has committed disbelief, and whoever doubts upon his disbelief has also committed disbelief.”⁶⁵

Therefore, whoever refrains from Takfīr upon someone who committed clear and apparent Shirk, disbelieves himself even if he were ignorant.

If someone is unaware of the disbelieving reality of the disbeliever, then he does not truly disbelieve until the clarification of his reality has reached him. Some of the Salaf refrained from Takfīr upon al-Ḥajjāj ibn Yūsuf because they were unaware of his statements which constitute disbelief and therefore these scholars were excused due to their ignorance of the reality. Ṭāwūs, may Allāh be pleased with him, said:

عَجَبًا لِإِخْوَانِنَا مِنْ أَهْلِ الْعِرَاقِ يُسَمُّونَ الْحَجَّاجَ مُؤْمِنًا

“How astonishing it is that our brothers from the people of ‘Irāq call al-Ḥajjāj a believer!”⁶⁶

2) The ‘Ādhir Regarding Hidden Disbelievers

The hidden disbelievers are apostates who attribute themselves to the religion of Islām, having committed a deed whose judgement of Kufr is unknown to most people due to widespread ignorance or misconceptions.

⁶⁵ ad-Durar as-Saniyyah 9/292

⁶⁶ al-Bidāyah wa an-Nihāyah 12/547

This type of ‘Ādhir is not considered a disbeliever before the detailed Ḥujjah has received him which eliminates the doubts and removes the preventatives regarding the Masā’il al-Khafiyyah. Imām Sulaymān ibn ‘Abdullāh, may Allāh accept him, said:

فَإِنْ كَانَ شَاكًّا فِي كُفْرِهِمْ أَوْ جَاهِلًا بِكُفْرِهِمْ، بَيَّنَّتْ لَهُ الْأَدِلَّةُ مِنْ كِتَابِ اللَّهِ وَسُنَّةِ رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى كُفْرِهِمْ، فَإِنْ شَكَكَ بَعْدَ ذَلِكَ أَوْ تَرَدَّدَ، فَإِنَّهُ كَافِرٌ بِإِجْمَاعِ الْعُلَمَاءِ عَلَى أَنَّ مَنْ شَكَكَ فِي كُفْرِ الْكَافِرِ فَهُوَ كَافِرٌ.

“If a person doubts their disbelief or is ignorant of it, the Ḥujjah from the Book of Allāh and the Sunnah of His Messenger, ṣallā-llāhu ‘alayhi wa sallam, is presented to him, showing their disbelief. If he continues to doubt or hesitate after that, he is a Kāfir by the consensus of the scholars, for whoever doubts the disbelief of a Kāfir is a Kāfir.”⁶⁷

3) The ‘Ādhir Regarding Disputed Disbelievers

The disputed disbelievers are those whose disbelief is not unanimously agreed upon by the scholars, such as the one who occasionally leaves the prayer. The ruling upon the one who excuses such individuals, after having carefully examined the proofs, is that they are rewarded. The Prophet, ṣallā-llāhu ‘alayhi wa sallama, said:

إِذَا حَكَّمَ الْحَاكِمُ فَاجْتَهَدَ ثُمَّ أَصَابَ فَلَهُ أَجْرَانِ، وَإِذَا حَكَّمَ فَاجْتَهَدَ ثُمَّ أَخْطَأَ فَلَهُ أَجْرٌ

“If a judge gives a ruling based on Ijtihād and is correct, he will have two rewards. If he gives a ruling based on Ijtihād and is mistaken, he will still have one reward.”⁶⁸

⁶⁷ ad-Durar as-Saniyyah 8/160

⁶⁸ Ṣaḥīḥ al-Bukhārī No. 7352

The Ruling on Blind Followers

Know, may Allāh have mercy upon you, that the blind follower is the one who has no knowledge himself and relies solely on the statements of his leaders.

The ruling upon them is that they are treated the same as their leaders regarding errors in Uṣūl ad-Dīn and the Masā'il adh-Dhāhirah. Allāh, subḥānahu wa ta'ālā, said regarding the Day of Resurrection:

وَبَرَزُوا لِلَّهِ جَمِيعًا فَقَالَ الضُّعَفَاءُ لِلَّذِينَ اسْتَكْبَرُوا إِنَّا كُنَّا لَكُمْ تَبَعًا فَهَلْ أَنْتُمْ مُغْنُونَ عَنَّا مِنْ عَذَابِ اللَّهِ مِنْ شَيْءٍ قَالُوا لَوْ هَدَانَا اللَّهُ لَهْدَيْنَاكُمْ سَوَاءٌ عَلَيْنَا أَجْرٌ عَنَّا أَمْ صَبَرْنَا مَا لَنَا مِنْ نَجٍّ

“And they will come out before Allāh all together, and the weak will say to those who were arrogant, “Indeed, we were your followers, so can you avail us anything against the punishment of Allāh?” They will say, “If Allāh had guided us, we would have guided you. It is all the same for us whether we show intolerance or are patient: there is for us no place of escape.”⁶⁹

Imām Ibn Kathīr, may Allāh have mercy upon him, said regarding the weak ones in this Āyah:

وَهُمُ الْآتِبَاعُ لِقَادَتِهِمْ وَسَادَتِهِمْ وَكُتِبَ لَهُمُ الَّذِينَ اسْتَكْبَرُوا عَنْ عِبَادَةِ اللَّهِ وَحْدَهُ لَا شَرِيكَ لَهُ، وَعَنْ مُوَافَقَةِ الرُّسُلِ.

“And they are the followers of their leaders, masters, and prominent figures who arrogantly turned away from worshipping Allāh alone without any partner and to comply with the messengers.”⁷⁰

⁶⁹ Sūrah Ibrāhīm: 21

⁷⁰ Tafsīr Ibn Kathīr 4/419

Allāh ta‘ālā mentioned that the leaders and the blind followers will be gathered altogether. He ta‘ālā also said regarding the disbelievers:

يَوْمَ تُقَلَّبُ وُجُوهُهُمْ فِي النَّارِ يَقُولُونَ يَلَيِّنَّا أَطَعْنَا اللَّهَ وَأَطَعْنَا الرَّسُولَ وَقَالُوا رَبَّنَا إِنَّا أَطَعْنَا سَادَتَنَا وَكُبَرَاءَنَا فَأَضَلُّونَا السَّبِيلَ

“On the Day their faces will be turned about in the Fire, they will say, ‘If only we had obeyed Allāh and obeyed the Messenger.’ And they will say, ‘Our Lord, indeed we obeyed our leaders (*sādatanā*) and our elders (*kubarā’anā*) and they led us astray from the path.”⁷¹

Ṭāwūs ibn Kaysān, may Allāh be pleased with him, commented on this Āyah:

سَادَتُنَا: يَعْنِي الْأَشْرَافَ، وَكُبَرَاءُنَا: يَعْنِي الْعُلَمَاءَ.

“Leaders (*sādatanā*) refers to the nobles, and elders (*kubarā’anā*) refers to the scholars.”⁷²

Imām ‘Abdullāh Abā Buṭayn, may Allāh have mercy upon him, also mentioned regarding that Āyah:

وَالْقُرْآنُ يَرُدُّ عَلَى مَنْ قَالَ: إِنَّ الْمُقَلِّدَ فِي الشِّرْكِ مَعْدُورٌ، فَقَدْ افْتَرَى وَكَذَبَ عَلَى اللَّهِ.

“The Qur’ān refutes those who said: ‘Indeed, the one who blindly follows in Shirk is excused,’ for they have fabricated and lied against Allāh.”⁷³

So despite merely obeying their leaders and scholars, much like the apostates of our time, Allāh ta‘ālā informed

⁷¹ Sūrat al-Aḥzāb: 66-67

⁷² Tafsīr Ibn Kathīr 6/427

⁷³ ad-Durar as-Saniyyah 10/394

us that they will be gathered in the Hellfire and that their excuses will not be accepted.

Imām Ibn al-Qayyim, may Allāh have mercy upon him, also narrated the consensus when he said regarding the blind followers who follow their leaders in disbelief:

وَقَدْ اتَّفَقَتِ الْأُمَّةُ عَلَى أَنَّ هَذِهِ الطَّبَقَةَ كُفَّارٌ وَإِنْ كَانُوا جُهَالًا مُقَلِّدِينَ لِرُؤَسَائِهِمْ وَأُيُمَّتِهِمْ، إِلَّا مَا يُحْكِي عَنْ بَعْضِ أَهْلِ الْبِدْعِ أَنَّهُ لَمْ يَحْكَمْ لَهُؤُلَاءِ بِالنَّارِ، وَجَعَلَهُمْ بِمَنْزِلَةِ مَنْ لَمْ تَبْلُغْهُ الدَّعْوَةُ، وَهَذَا مَذْهَبٌ لَمْ يَقُلْ بِهِ أَحَدٌ مِنْ أَيْمَةِ الْمُسْلِمِينَ لَا الصَّحَابَةُ وَلَا التَّابِعُونَ وَلَا مَنْ بَعْدَهُمْ.

“And the Ummah has unanimously agreed that this category are disbelievers, even if they are ignorant blind followers of their leaders and A’immah, except for what is reported from some of the people of innovation, who did not judge these individuals to be destined for the hellfire and placed them on the same level as those to whom the message has not reached. However, this is an opinion that none of the A’immah of the Muslims adhered to, neither the Companions, nor the Tābi‘ūn, nor those who came after them.”⁷⁴

So anyone who commits disbelief in the first two categories is rendered a disbeliever unless there is a preventative of Takfīr that applies, and there is no distinction between the leaders and the blind followers in regards to the judgement.

As for the blind followers in errors regarding Masā’il al-Khafiyyah, then they are considered excused from disbelief according to the clear consensus of the Muslims unless the Ḥujjah is established upon them which eliminates the doubts and refutes the misconceptions.

⁷⁴ Tarīq al-Hijratayn 1/411

The Foundation of People

Know, may Allāh have mercy upon you, that the people of a land are generally judged based on the dominant characteristics of their area. Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, said:

فَالْأَصْلُ الْحَاقُّ الْفَرْدَ بِالْأَعْمِ الْأَغْلَبِ

“The foundation is to affiliate the individual with the predominant majority (in the land).”⁷⁵

If they are in the lands of Islām, they are judged to be Muslims unless clear evidence of Kufr is apparent. If they are in lands of Kufr, they are assumed disbelievers unless signs of Islām are evident. Imām Ibn Qudāmah al-Maqdisī, may Allāh have mercy upon him, said:

وَأِنْ وُجِدَ مَيِّتٌ، فَلَمْ يُعْلَمْ أَمْسَلِمٌ هُوَ أَمْ كَافِرٌ، يُنْظَرُ إِلَى الْعَلَامَاتِ، مِنْ الْخِتَانِ، وَالنِّيبَابِ، وَالْخِضَابِ، فَإِنْ لَمْ يَكُنْ عَلَيْهِ عَلَامَةٌ، وَكَانَ فِي دَارِ الْإِسْلَامِ، غُسِّلَ، وَصُلِّيَ عَلَيْهِ، وَإِنْ كَانَ فِي دَارِ الْكُفْرِ، لَمْ يُغَسَّلْ، وَلَمْ يُصَلَّ عَلَيْهِ. نَصَّ عَلَيْهِ أَحْمَدُ؛ لِأَنَّ الْأَصْلَ أَنَّ مَنْ كَانَ فِي دَارٍ، فَهُوَ مِنْ أَهْلِهَا، يَنْبَغُ لَهُ حُكْمُهُمْ مَا لَمْ يَقُمْ عَلَى خِلَافِهِ دَلِيلٌ.

“If a deceased person is found, and it is not known whether they are Muslim or disbeliever, the signs should be examined - such as circumcision, clothing, and the coloring (of the beard). If there are no distinguishing signs, and the body is in the land of Islām, the deceased should be washed and the funeral prayer performed for them. However, if the body is in the land of disbelief, they should neither be washed nor prayed over. This was stated by Aḥmad, as the principle is that whoever is in a

⁷⁵ Majmū‘ al-Fatāwā 31/167

land is presumed to belong to its people and is subject to their rulings unless evidence proves otherwise.”⁷⁶

Whether a land is considered a land of Islām or a land of Kufr does not depend on the religion of the people but rather on whether the Sharī‘ah is applied in these lands. Shaykh al-Islām Muḥammad ibn ‘Abd al-Wahhāb, may Allāh have mercy upon him, narrated the consensus on this when he said regarding the rulers of Banī ‘Ubayd:

فَلَمَّا أَظْهَرُوا مُخَالَفَةَ الشَّرِيعَةِ فِي أَشْيَاءَ دُونَ مَا نَحْنُ فِيهِ أَجْمَعَ الْعُلَمَاءُ عَلَى
كُفْرِهِمْ وَقِتَالِهِمْ، وَأَنَّ بِلَادَهُمْ بِلَادُ حَرْبٍ

“When they openly opposed the Sharī‘ah in certain matters, which are less severe than what we are discussing, the scholars reached a consensus on their disbelief and the obligation to fight them, and that their land is considered a land of war.”⁷⁷

Whoever openly displays the signs of Islām, such as prayer or the testimony of faith, is judged as a Muslim unless there is clear evidence against him. The Prophet, ṣallā-llāhu ‘alayhi wa sallam, said:

مَنْ صَلَّى صَلَاتَنَا وَاسْتَقْبَلَ قِبْلَتَنَا وَآكَلَ ذَبِيحَتَنَا فَذَلِكَ الْمُسْلِمُ.

“Whoever prays as we pray, turns to face the same Qiblah, and eats from our slaughtered animals, he is a Muslim.”⁷⁸

If these characteristics are given and disbelief is not proven from this person, then he is judged a Muslim and it is not differentiated whether this person lives in the lands of Kufr or lands of Islām.

⁷⁶ al-Mughnī 2/400

⁷⁷ Kashf ash-Shubuhāt 1/41

⁷⁸ Sunan an-Nasā’ī No. 4997

Therefore, it is permissible to pray behind the one whose condition is unknown due to the prayer itself being a sign of his Islām. Imām Ibn Qudāmah al-Maqdisī, may Allāh have mercy upon him, said:

إِذَا صَلَّى خَلْفَ مَنْ يَشُكُّ فِي إِسْلَامِهِ، أَوْ كَوْنِهِ خُنْثَى، فَصَلَاتُهُ صَحِيحَةٌ، مَا لَمْ يَبَيَّنْ كُفْرَهُ، وَكَوْنَهُ خُنْثَى مُشْكِلًا؛ لِأَنَّ الظَّاهِرَ مِنَ الْمُصَلِّينَ الْإِسْلَامَ، سَيِّمًا إِذَا كَانَ إِمَامًا.

“If someone prays behind a person whose Islām is uncertain or whose gender is ambiguous, their prayer is valid as long as the person’s disbelief or ambiguous gender does not become evident. This is because the apparent state of those who prays is Islām, especially if the person is leading the prayer as an Imām.”⁷⁹

Shaykh al-Islām Ibn Taymiyyah, may Allāh have mercy upon him, narrated the consensus when he said:

يَجُوزُ لِلرَّجُلِ أَنْ يُصَلِّيَ الصَّلَوَاتِ الْخَمْسَ وَالْجُمُعَةَ وَغَيْرَ ذَلِكَ خَلْفَ مَنْ لَمْ يُعْلَمْ مِنْهُ بِدْعَةٌ وَلَا فِسْقًا بِاتِّفَاقِ الْأَئِمَّةِ الْأَرْبَعَةِ وَغَيْرِهِمْ مِنْ أَيْمَةِ الْمُسْلِمِينَ. وَلَيْسَ مِنْ شَرْطِ الْإِئْتِمَامِ أَنْ يُعْلَمَ الْمَأْمُومُ اعْتِقَادَ إِمَامِهِ وَلَا أَنْ يَمْتَحِنَهُ فَيَقُولَ: مَاذَا تَعْتَقِدُ؟ بَلْ يُصَلِّي خَلْفَ مَسْئُورِ الْحَالِ.

“A man is permitted to perform the five daily prayers, the Friday prayer, and other prayers behind someone from whom no innovation or Fisq is known, by consensus of the four A’immah and other Muslim leaders. It is not a condition for the follower to know the beliefs of the Imām or to test him by asking: “What do you believe?” Rather, he may pray behind someone whose condition is not known.”⁸⁰

⁷⁹ al-Mughnī 2/147

⁸⁰ Majmū‘ al-Fatāwā 23/351

Repentance From Public Disbelief

Know, may Allāh have mercy upon you, that whenever someone has fallen into disbelief, it is required from him to sincerely repent to Allāh and then inform those who know of his disbelief that he has repented. Allāh, subhānahu wa ta‘ālā, said:

إِلَّا الَّذِينَ تَابُوا وَأَصْلَحُوا وَبَيَّنُّوا

“Except for those who repent and correct themselves and make evident.”⁸¹

Imām Aḥmad, may Allāh be pleased with him, said regarding the repentance from public mistakes:

لَا يَقْبَلُ اللَّهُ ذَلِكَ مِنْهُ حَتَّى يُظْهَرَ التَّوْبَةُ وَالرُّجُوعُ عَنْ مَقَالَتِهِ، وَلْيُعْلَمَنَّ أَنَّهُ قَالَ مَقَالَتَهُ كَيْتَ وَكَيْتَ، وَأَنَّهُ تَابَ إِلَى اللَّهِ تَعَالَى مِنْ مَقَالَتِهِ وَرَجَعَ عَنْهُ، فَإِذَا ظَهَرَ ذَلِكَ مِنْهُ حِينَئِذٍ تُقْبَلُ

“Allāh will not accept that from him until he openly displays his repentance and retracts his statement. He must make it known that he had said such and such, and that he has repented to Allāh, the Most High, from his statement and retracted it. When this becomes evident from him, only then will it be accepted.”⁸²

If he repents after publicly committing disbelief while being unable to convey the message of his repentance himself, then two Muslim witnesses from among the men have to report it due to Allāh’s saying:

⁸¹ Sūrat al-Baqarah: 160

⁸² Dhayl at-Ṭabaqāt 1/300

وَأَسْتَشْهَدُوا شَهِيدَيْنِ مِنْ رَجَالِكُمْ فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَامْرَأَتَانِ مِمَّنْ تَرْضَوْنَ مِنَ الشُّهَدَاءِ أَنْ تَضِلَّ إِحْدَاهُمَا فَتُذَكِّرَ إِحْدَاهُمَا الْأُخْرَىٰ

“And bring two witnesses from among your men. If two men are not available, then a man and two women, from those whom you accept as witnesses, so that if one of them forgets, the other may remind her.”⁸³

The Muslims who testify have to be trustworthy and sincere. Imām Ibn Qudāmah, may Allāh have mercy upon him, said regarding those whose testimonies are not accepted in the Sharī‘ah:

لَا تُقْبَلُ شَهَادَةُ صَبِيٍّ وَلَا زَائِلِ الْعَقْلِ وَلَا أَخْرَسَ وَلَا كَافِرٍ وَلَا فَاسِقٍ وَلَا مَجْهُولِ الْحَالِ وَلَا جَارٍ إِلَى نَفْسِهِ نَفْعًا وَلَا دَافِعٍ عَنْهَا شَرًّا.

“The testimony of a child is not accepted, nor of someone who has lost their mind, nor of a mute person, nor of a disbeliever, nor of an sinner, nor of someone whose condition is unknown, nor of someone who seeks benefit for himself, nor of someone who repels harm from himself.”⁸⁴

He, may Allāh have mercy upon him, further included that the father cannot testify for his son, nor that the husband can testify for his wife. Likewise, the testimony of the one who is known for frequent mistakes is rejected.

If someone committed disbelief while nobody is aware of it, then he has to sincerely repent to Allāh and he is not obligated to publicly declare his repentance if his apostasy did not have any further legal consequences.

⁸³ Sūrat al-Baqarah: 282

⁸⁴ ‘Umdat al-Fiqh 1/152

Judging With Hellfire

Know, may Allāh have mercy upon you, that whoever dies upon disbelief while having heard of Islām is judged with the Hellfire. The Messenger of Allāh, ṣallā-llāhu ‘alayhi wa sallama, said:

وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ لَا يَسْمَعُ بِي أَحَدٌ مِنْ هَذِهِ الْأُمَّةِ يَهُودِيٍّ وَلَا نَصْرَانِيٍّ ثُمَّ يَمُوتُ وَلَمْ يُؤْمِنْ بِالَّذِي أُرْسِلْتُ بِهِ إِلَّا كَانَ مِنْ أَصْحَابِ النَّارِ

“By Him in whose hand is the soul of Muḥammad, no one from this nation, be they a Jew or a Christian, hears of me, then dies without believing in what I was sent with, except that they will be among the companions of the Fire.”⁸⁵

So whoever apparently dies in a state of disbelief, then the judgement of punishment in the afterlife is ascribed to him. ‘Umar, may Allāh be pleased with him, said:

إِنَّ أَنْاسًا كَانُوا يُؤْخَذُونَ بِالْوَحْيِ فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَإِنَّ الْوَحْيَ قَدْ انْقَطَعَ، وَإِنَّمَا نَأْخُذُكُمْ الْآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ

“Indeed, there were people who were judged based on revelation during the time of the Messenger of Allāh, ṣallā-llāhu ‘alayhi wa sallama, but revelation has ceased. Now, we judge you based on what becomes apparent to us from your actions.”⁸⁶

Abū Bakr, may Allāh be pleased with him, said to the apostates after they offered their repentance:

لَا أَقْبِلُهَا حَتَّى تَشْهَدُوا أَنْ قَتَلْنَا فِي الْجَنَّةِ وَقَتَلَكُم فِي النَّارِ

⁸⁵ Saḥīḥ Muslim No. 153

⁸⁶ Saḥīḥ al-Bukhārī No. 2641

“I will not accept it until you testify that our dead ones are in Paradise and your dead ones are in Hellfire.”⁸⁷

The Hellfire is attributed to the disbelievers generally and specifically. Imām al-Ḥajjāwī, may Allāh have mercy upon him, mentioned regarding the specific attribution of Hellfire towards a disbeliever:

وَتُبَاحُ لِقَبْرِ كَافِرٍ وَلَا يُسَلِّمُ عَلَيْهِ بَلْ يَقُولُ لَهُ: أَبَشِّرْ بِالنَّارِ

“And it is permissible to visit the grave of a disbeliever, but one does not greet them with Salām; rather, one says: ‘Rejoice in the Fire.’”⁸⁸

When it comes to the Muslims, then we neither affirm Paradise for them if they are righteous, nor do we affirm Hellfire for them if they are among the sinners except when there is an explicit evidence in Qur’ān and Sunnah. Imām Aḥmad, may Allāh be pleased with him, said:

وَلَا نَشْهَدُ عَلَى أَهْلِ الْقِبْلَةِ بِعَمَلٍ يَعْمَلُهُ بَجَنَّةٍ وَلَا نَارٍ، نَرْجُو لِلصَّالِحِ وَنَخَافُ عَلَيْهِ، وَنَخَافُ عَلَى الْمُسِيءِ الْمَذْنِبِ وَنَرْجُو لَهُ رَحْمَةَ اللَّهِ.

“We do not testify regarding the people of the Qiblah based on their actions, whether they are destined for Paradise or Hellfire. We have hope for the righteous and fear for them, and we fear for the sinful and disobedient while hoping for Allāh’s mercy for them.”⁸⁹

⁸⁷ al-Mughnī 2/229

⁸⁸ al-Iqnā’ 1/237 - This was also mentioned by other Ḥanābilah such as al-Buhūtī in Sharḥ Muntahā al-Irādāt 1/383 and ‘Abd ar-Raḥmān al-Ba‘lī in Akḥṣar al-Mukḥaddarāt 1/239

⁸⁹ Uṣūl as-Sunnah 1/50

The Wrong Application

Know, may Allāh have mercy upon you, that the wrong application of Takfīr is split into three categories:

1) Without Interpretation

He is the one who mistakenly makes Takfīr upon a Muslim without any interpretation, whether it is valid or invalid, like the one who uses it as an insult towards his brother. Such a person is not excused and disbelieves as the Prophet, ṣallā-llāhu ‘alayhi wa sallam, said:

أَيُّمَا رَجُلٍ قَالَ لِأَخِيهِ كَافِرٌ فَقَدْ بَاءَ بِهِ أَحَدُهُمَا

“If any man says to his brother, ‘You are a disbeliever,’ then it will return upon one of the two of them.”⁹⁰

Imām al-Bukhārī, may Allāh be pleased with him, recorded this Ḥadīth in the chapter:

بَابُ مَنْ كَفَرَ أَخَاهُ بِغَيْرِ تَأْوِيلٍ فَهُوَ كَمَا قَالَ.

“Chapter: Whoever declares his brother a disbeliever without interpretation, it is as he said.”⁹¹

2) With An Invalid Interpretation

He is the one who oppresses his brother by declaring Takfīr upon them based on misconceptions which do not have a foundation in the Sharī‘ah like the Khawārij who declared the Muslims to be disbelievers based on innovations in their beliefs.

⁹⁰ Ṣaḥīḥ al-Bukhārī No. 6103

⁹¹ Ṣaḥīḥ al-Bukhārī 8/26

Imām ‘Abdullāh Abā Buṭayn, may Allāh have mercy upon him, said regarding the Khawārij:

لَكِنَّ أَكْثَرَ الْفُقَهَاءِ عَلَى عَدَمِ كُفْرِهِمْ لِتَأْوِيلِهِمْ

“However, the majority of scholars of jurisprudence hold that they do not disbelieve due to their interpretation.”⁹²

Their ruling therefore is that they are considered sinful but not declared disbelievers due to the Ṣaḥābah excusing the Khawārij for this mistake. If the Ḥujjah is established upon them and they remain stubborn, they disbelieve.

3) With An Valid Interpretation

The one who mistakenly makes Takfīr upon a Muslim while having a sound interpretation and a sincere intention of supporting the truth is considered excused and may be rewarded. Imām Ibn al-Qayyim, may Allāh have mercy upon him, said:

وَفِيهَا: أَنَّ الرَّجُلَ إِذَا نَسَبَ الْمُسْلِمَ إِلَى النِّفَاقِ وَالْكَفْرِ مُتَأَوِّلًا وَغَضَبًا لِلَّهِ وَرَسُولِهِ وَدِينِهِ لَا لِهَوَاهُ وَحَظِّهِ، فَإِنَّهُ لَا يَكْفُرُ بِذَلِكَ، بَلْ لَا يَأْتُمُّ بِهِ، بَلْ يُثَابُ عَلَى نِيَّتِهِ وَقَصْدِهِ

“It appears that if a person accuses a Muslim of hypocrisy or disbelief out of interpretation and anger for the sake of Allāh, His Messenger, and His religion - not for personal desires - then they are not rendered a disbeliever or sinful. Rather, they are rewarded for their intention and purpose.”⁹³

⁹² Mas’alah fī man yukaffiru ghayrahu min al-Muslimīn 1/19

⁹³ Zād al-Ma’ād 3/372

The Conclusion

Allāh ta‘ālā said:

فَسَتَذْكُرُونَ مَا أَقُولُ لَكُمْ

“And you will remember what I say to you.”⁹⁴

We ask Allāh to make this Risālah beneficial for the Muslims, to make it a source of clarity for those who have been confused, to grant mercy upon it’s author and to make him firm upon the truth.

رَبَّنَا لَا تُزِغْ قُلُوبَنَا بَعْدَ إِذْ هَدَيْتَنَا وَهَبْ لَنَا مِنْ لَدُنْكَ رَحْمَةً إِنَّكَ أَنْتَ الْوَهَّابُ

“Our Lord, do not let our hearts deviate after You have guided us, and grant us from Yourself mercy. Indeed, You are the Bestower.”⁹⁵

Indeed, true success lies in adhering to the straight path and seeking the pleasure of Allāh, while failure stems from deviating into falsehood and misguidance.

And all praise is due to Allāh and may the blessings and peace be upon our Prophet, his family, his companions and those who follow them until the Day of Judgement.

Written by:
Abū Bakr al-Balqānī
Jumādā ath-Thānī 1446

⁹⁴ Sūrah Ghāfir: 44

⁹⁵ Sūrah Āl ‘Imrān: 8